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SUBJECT: JUSTICE SLOW FOR VICTIMS OF SLAVERY IN NORTHERN
MALI

REF: A. 06 BAMAKO 0136
[1](#)B. 07 BAMAKO 00145

1.(SBU) Summary: wo cases involving allegations of slavery are currently pending before Malian courts in the northern region of Gao. Both cases were brought by slavery victims supported by the black Tamachek association Temedt. Founded in 2006, Temedt received a Democracy and Human Rights grant in 2007 from the U.S. Embassy as well as support from the Canadian government, the European Union and the British NGO Anti-Slavery International (Ref. A). In March 2008 Temedt's president Mohamed ag Akeratane traveled to the U.S. as part of an International Visitor's program focused on NGO management. Upon his return to Mali, ag Akeratane met with the Embassy to discuss the pending legal cases and the Malian judicial system's apparent disinterest in the sensitive issues of slavery. Unlike neighboring Mauritania and Niger, Mali has no law criminalizing slavery and human rights activists have, until recently, generally overlooked allegations of slave-related practices within the country. Temedt is trying to correct this oversight by publicizing selected cases, lobbying the Malian government to criminalize slavery, and pressing judicial authorities to award damages to slavery victims and prison time to slave holders. A July 29 meeting with the vice-president of the Malian National Assembly, who is a Tuareg leader from Gao, demonstrated many of the challenges and misconceptions confronting Temedt and anti-slavery activists in Mali. End Summary.

Slavery and Murder in Menaka

2.(U) Temedt has helped two victims of slavery file complaints with judicial authorities in the northern region of Gao. According to ag Akeratane, these are the first lawsuits involving allegations of slavery in Mali since at least the 1970s if not since Malian independence. Both victims are receiving support from a lawyer, based in Mopti, hired with funds from Temedt and the NGO Anti-Slavery International. Each victim also belongs to Mali's community of black Tamacheks, also known as "Bellahs". Black Tamacheks speak the same Tamachek language as Tuaregs - who are sometimes labeled as "white" Tamacheks - and are differentiated largely by familial lineage.

3.(U) The first case accuses Ahmed Iknane ag Bakka of slave-holding and the 2005 murder of a black Tamachek named Ekadaye ag Abdoulaye. The case, which was filed by ag Abdoulaye's sister Tatche, first came to Temedt's attention in January 2007 when ag Akeratane and other Temedt founders traveled with the Embassy to the north-eastern town of Menaka to document cases of slavery and forced labor (Ref. B). Both Tatche and ag Abdoulaye had previously "escaped" from their

traditional master ag Bakka but, like many former slaves, frequently returned to work for him in order to avoid retribution or worse.

4.(U) According to the complaint, ag Bakka abducted five children from Tatche's family at gun point in August 2003. The abducted children included Tatche's son Tamtchi ag Allasane, ag Abdoulaye's son Almoustapha ag Akadaye and a girl named Alimata Wallet Tamou. Several months after Tatche and ag Abdoulaye notified authorities of the kidnappings, a tip led the police in Menaka to ag Bakka and the five missing children. Malian officials succeeded in rescuing only three of the five children: Alimata, Allasane and Almoustapha. On December 28, 2004, ag Bakka tried to recover Tatche and the three children but ended up shooting ag Abdoulaye in the leg. Ag Abdoulaye was transported to the local clinic in Menaka, and then to the regional hospital in Gao where doctors amputated his leg. The wound later turned septic and ag Abdoulaye died on January 21, 2005.

5.(U) The statute of limitations for murder in Mali is 10 years. Tatche maintains that she filed murder charges with authorities in Menaka following ag Abdoulaye's death in 2005. Officials in Menaka contend that no complaint was ever received. As a result, no charges were leveled against ag Bakka until late 2007 when Temedt intervened. The complaint currently before the court in Menaka accuses ag Bakka of murdering ag Abdoulaye and demands the release of the two children ag Bakka abducted in 2003 and continues to hold.

Compensation and Slave Holding in Gao

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6.(U) A second case, filed in March 2008 also with Temedt and Anti-Slavery's support, concerns a black Tamachek named Iddar ag Ogazide who escaped from his master in the Ansongo area, between Gao and Menaka, in February 2008. The complaint demands compensation for damages inflicted over the space of 35 years by Ogazide's alleged master, Erzaghi ag Bayes. In addition to compensation, ag Ogazide is demanding the release of his 13 year old sister and 15 year old brother still apparently held by ag Bayes.

7.(U) According to Temedt, ag Ogazide escaped with his wife, Takwelet, after spending his entire life in the servitude of the ag Bayes family. Several of ag Ogazide's brothers previously escaped to Niger and Algeria. After fleeing first to Ansongo, ag Ogazide traveled to Gao where Temedt helped him obtain, for the first time in his life, a national identity card. Ag Bayes quickly tracked ag Ogazide down in Gao and tried to force ag Ogazide to return by using ag Ogazide's three year old son, Mohamed ag Iddar, who was still in Ag Bayes' custody as an enticement. Ag Bayes also asked Malian authorities in Gao to arrest ag Ogazide. According to Temedt president ag Akeratane, in March ag Bayes gave the three year old Mohamed to another noble as a wedding present. Temedt succeeding in winning Mohamed's release from this new master, and reuniting him with his parents, a few weeks later.

8.(U) Ag Ogazide's case has received a fair amount of coverage from Malian newspapers. In June 2008 ag Ogazide told one Malian journalist that he had "never been to school nor studied the Koran. All I know is how to herd animals to pasture. I have always wanted to escape but people tell us that if a slave does not respect his master, the slave will not go to paradise after death."

Two Additional Cases in Menaka and Kidal

9.(U) Temedt is currently reviewing two additional cases, one involving a women named Agiachatou in Menaka. According

to ag Akeratane, Agiachatou fled with her two children after been passed off as a wedding present and is now under the protection of Temedt members in Menaka. Another case involves the abduction of a three year old boy named Moumou ag Tamou who was taken from his mother, Talkit Wallet Malick, in Kidal on September 4, 2007. Moumou's family and Temedt allege that the boy was abducted by Hamed Lamine ag Alwafi, a Tuareg living in the area of Menaka. Moumou's uncle notified Kidal authorities of the abduction on September 6, 2007, but was reportedly instructed by both the Kidal police and gendarmes to conduct his own investigation and return only when more information was available.

10.(SBU) Ag Akeratane said Temedt is convinced that Moumou is another victim of slavery in northern Mali. Although the significance of particular names may be less important now than several decades ago, Moumou's name means "slave" in Daoussahak, which is a mixture of Tamachek and Songhrai spoken by members of the Daoussahak group of Malian Tuaregs. His mother's name "Talkit" means "slave" in Tamachek. Ag Akeratane said Temedt was hesitant about pressing charges in Moumou's case because of current unrest between Tuaregs and the Malian government in Kidal. "With the rebellion," said ag Akeratane on July 22, "the government doesn't want us to talk about slavery in Kidal."

11.(SBU) The July 8 carjacking of Temedt's coordinator in Kidal, Koyna ag Ahmed, has also given Temedt pause as far as Moumou's case is concerned. Ag Ahmed is the Ministry of Education's top official in Kidal and was carjacked on the road between Gao and Kidal after delivering all of Kidal's high school baccalaureate exams to officials in Gao for grading. Ag Akeratane said Temedt had no indication that ag Ahmed was targeted due to his association with Temedt, but that he could not yet rule this out as a possibility.

Trials Going Nowhere

12.(SBU) Judicial authorities in Gao and Menaka have shown little interest in pursuing slavery cases. The homicide portion of the charges leveled against ag Bakka in Menaka, for instance, can legally only be handled by a separate court

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in Mopti. Officials in Menaka, however, have yet to forward the relevant court documents to their judicial colleagues in Mopti. Neither Temedt nor the Embassy have been able to acquire details on the status of the cases in Menaka and Gao. Ag Akeratane complained that officials in Menaka routinely claim that the relevant judge is either busy with other cases, out of town, or on vacation. Temedt has also encountered problems convincing local human rights groups and lawyers to lend support to slavery victims. Ag Akeratane told the Embassy in June that Temedt had appealed in vain to several local NGOs, including the Malian Association for Human Rights, for legal assistance.

13.(SBU) On July 29 the 2nd vice president of the Malian National Assembly, Assarid ag Imbarcaouane, told the Embassy that Temedt's slavery claims were "false" and that slavery was not a problem in Mali. Ag Imbarcaouane is an important Tuareg leader from the region of Gao and said one of those accused by Temedt of slave-holding, Erzaghi ag Bayes, was a relative. After the ag Ogazide case hit the Malian media, ag Imbarcaouane telephoned ag Bayes to tell him to release ag Ogazide's son because continuing to, in ag Imbarcaouane's words, "care" for the boy was no longer worth the trouble. Ag Imbarcaouane said that black Tamacheks like ag Ogazide were not slaves because they were free to leave their "masters" at any point. He said black Tamacheks chose not to leave because they were unable to support themselves on their own.

14.(SBU) Like many other Malian officials, whether Tuareg or

non-Tuareg, ag Imbarcaouane argued that slavery was already illegal in Mali and that there was therefore no reason to criminalize the practice. He said Temedt was simply trying to stir up passions in the north for political reasons. When the Embassy pointed out that murder is also illegal but still carries criminal penalties under the law, ag Imbarcaouane said he thought that Mali had, in fact, passed a law in 1960 or 1961 criminalizing slave holding. He also said he would be interested in seeing the texts of laws criminalizing slavery passed by neighboring National Assemblies in Mauritania and Niger. We agreed to provide ag Imbarcaouane with copies of the relevant documents.

Comment: Slavery in Mali

15.(SBU) No one is more aware of the sensitivities of the slavery issue in Mali than Temedt president Mohamed ag Akeratane. Renewed unrest in northern Mali's primarily Tuareg region of Kidal has only compounded these sensitivities, prompting some to peddle conspiracy theories accusing Temedt of playing the slavery card simply to grab a portion of any eventual settlement between Tuareg rebels and the Malian government. Despite the evident hostility of some Malian Tuaregs toward Temedt, their viewpoints on the issue of slavery in Mali are actually not so far apart. Tuaregs like ag Imbarcaouane and Temedt leaders like ag Akeratane both stress that slavery in Mali has nothing to do with skin color or ethnicity. Despite the labels of "black" and "white" Tamachek that are sometimes used to differentiate members of the Bellah community from Tuaregs respectively, lineage seems to be the main factor separating those belonging to slave castes from those regarded as nobles. Both the Tuareg and Temedt leaders also quick to dispel perceptions that Tuaregs are the primary or only offenders when it comes to slave-related practices in Mali. Similar practices can be found within the Peuhl, Songhrai, Arab, Bambara and other groups in Mali.

16.(SBU) Both ag Imbarcaouane and ag Akeratane also agree that many victims of slavery in Mali are either unable or unwilling to strike out on their own due to poor education, poverty and a deep-seated fear of the unknown. Ag Akeratane notes, for instance, that passing a law immediately "freeing" individuals who are victims of slavery would could serious social dislocations because neither Temedt, local communities nor the Malian government have the capacity to care for those who currently depend on the families to which they are attached for survival.

17.(SBU) Tuareg uneasiness about the question of slavery should not prevent a discussion of the issue, especially since there are clear points of common ground between Temedt and the Tuareg. Convincing Mali to criminalize slavery, however, could prove difficult. This is due in part to the

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sensitivity of any issue involving Tuaregs. It is also due to Mali's traditional respect for consensus, which can at times slow the passage of important social legislation (such as laws outlawing female genital cutting or criminalizing slavery) that has already been enacted by neighboring west African nations but does not enjoy the support of key domestic constituencies within Mali.
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